

04/15/02

EXECUTIVE SUMMARY NORTH DAKOTA

The Child and Family Services Review (CFSR) assesses State performance during a specified time period with respect to seven child welfare outcomes in the areas of safety, permanency, and well-being. This assessment is based on information obtained from a randomly selected sample of 50 child welfare cases and from interviews with individuals involved in the cases including caseworkers, parents, foster parents, and children, when appropriate. The CFSR also evaluates State functioning with respect to seven systemic factors using information from the Statewide Assessment and from interviews and focus groups with key community and agency stakeholders.

A key finding of the review of North Dakota's child welfare programs is that the State was in substantial conformity with two of the seven safety, permanency and well-being outcomes. The State was in substantial conformity with Permanency Outcome 2 (*The continuity of family relationships and connections is preserved for children*) and Child and Family Well-Being Outcome 2 (*Children receive appropriate services to meet their educational needs*). The State did not achieve substantial conformity with any Safety Outcomes or with Permanency Outcome 1 (*Children have permanency and stability in their living situations*) or Child and Family Well-Being Outcomes 1 (*Families have enhanced capacity to provide for their children's needs*) and 3 (*Children receive adequate services to meet their physical and mental health needs*).

Despite these areas of concern, there were several items related to the seven outcomes that were found to be a Strength for the State. In particular, the State was noted to be effective with respect to the following:

- Initiating investigations to child maltreatment reports in a timely manner and consistent with agency policy guidelines (item 1). (It should be noted that North Dakota does not conduct investigations when child maltreatment reports are received, rather the State conducts assessments in response to child maltreatment reports. When the term investigation is utilized in this report it is referring to the State's assessment that occurs in response to a report of child maltreatment.)
- Providing services to families to protect children in their homes and prevent removal (item 3).
- Establishing appropriate permanency goals for children (item 7) and implementing diligent efforts to attain those goals (items 8, 9, and 10).
- Placing children in close proximity to their biological families (item 11), with their siblings (item 12), and with relatives (item 15) when possible and in the children's best interest.
- Encouraging visitation with parents and siblings (item 13) and preserving other cultural, familial, and community connections (item 14).
- Involving parents in case planning (item 18) and conducting regular visits with parents to assess their progress with respect to the case plan (item 20).
- Meeting children's educational (item 21) and physical health (item 22) service needs.

Another key finding of the CFSR was that the State was in substantial conformity with all of the systemic factors. In fact, there were only a very few items relevant to the systemic factors that were rated as an Area Needing Improvement. These were: (1) item 28, which pertains to a

process for termination of parental rights proceedings in accordance with the provisions of the Adoption and Safe Families Act; (2) item 31 which pertains to a comprehensive quality assurance process in the State; (3) item 36, which pertains to the accessibility of services to families and children in all political jurisdictions covered in the State's Child and Family Services Plan; and (4) item 44, which pertains to the recruitment of potential foster and adoptive families that reflect the ethnic and racial diversity of children in the State for whom foster and adoptive homes are needed.

The following is a summary of the CFSR findings with respect to outcomes and systemic factors.

KEY FINDINGS RELATED TO OUTCOMES

I. SAFETY

Outcome S1: Children are, first and foremost, protected from abuse and neglect.

Status of Safety Outcome S1 – Not in Substantial Conformity

North Dakota did not achieve substantial conformity with Safety Outcome 1 for the following reasons:

The percentage of applicable cases rated as being in substantial conformity with Safety Outcome 1, was 78.7. This is less than the 90 percent required for substantial conformity.

The State's incidence of repeat maltreatment did not meet the national standard of 6.1.

A summary of the findings for specific items assessed under this outcome is presented below.

Item 1. Timeliness of initiating investigations of reports of child maltreatment

Item 1 was assigned an overall rating of Strength based on the finding that in 92 percent of the cases, responses to reports of child maltreatment were initiated within the required timeframes.

According to the Statewide Assessment, workers are not only to respond to cases within required timeframes, but interviews with the subject(s) and child must take place in person.

Item 2. Repeat maltreatment

Item 2 was rated as an Area Needing Improvement because North Dakota's incidence of repeat maltreatment for Federal Fiscal Year (FFY) 1999 (11.7%) was higher than the national standard of 6.1 percent. In addition, although no repeat maltreatment occurred in 85 percent of the cases reviewed, in a large number of those cases, children were in foster care or another permanent placement during the entire period under review and there was little opportunity for maltreatment by a parent to occur.

Outcome S2: Children are safely maintained in their homes whenever possible and appropriate.

Status of Safety Outcome S2 – Not in Substantial Conformity

North Dakota did not achieve substantial conformity with Safety Outcome 2 for the following reasons:

The percentage of applicable cases in substantial conformity was 78.6 percent. This is less than the 90 percent required for a rating of substantial conformity. A summary of findings of the specific items assessed relevant to this outcome is presented below.

Item 3. Services to family to protect child(ren) in home and prevent removal

Item 3 was assigned an overall rating of Strength based on the finding that in 83 percent of the cases reviewed, the agency had made diligent efforts to provide services to prevent a child's placement in foster care. This finding is consistent with information provided in the Statewide Assessment regarding CFS placement prevention efforts and with stakeholder perceptions of agency efforts to maintain children safely in their homes.

Item 4. Risk of harm to child

Item 4 was assigned an overall rating of Area Needing Improvement because in 22 percent of the cases, reviewers determined that the risk of harm to children was not adequately addressed. One problem noted was that in cases assigned to the category of "services recommended but not required" parents were not participating in services. Reviewers determined that in some of these cases, a risk of harm to the children was clearly present although the family refused the recommended services and the cases were closed. These findings raise questions regarding if correct determinations were made through the assessment process or if the system is structured in a manner to adequately identify risks and provide services to effectively address the identified risks. Consideration should be given to the possible connection between case closure because families refuse to participate in recommended services, repeat maltreatment and re-entries into foster care.

II. PERMANENCY

Outcome P1: Children have permanency and stability in their living situations.

Status of Permanency Outcome P1 – Not in Substantial Conformity

North Dakota did not achieve substantial conformity with Permanency Outcome 1 for the following reasons:

The State did meet the national standard for the percentage of adoptions occurring within 24 months from the time the child was removed from home. However, the State did not meet national standards with respect to (1) the incidence of foster care re-entries, (2) the percentage of reunifications that occurred within 12 months of removal of the children from their homes, and (3) the percentages of children experiencing two or fewer placements during their first 12 months in foster care. A summary of findings of the specific items assessed relevant to this outcome is presented below.

Item 5. Foster care re-entries

Item 5 was assigned an overall rating of Area Needing Improvement because 16.3 percent of the children entering foster care in North Dakota during Federal Fiscal Year (FFY) 1999 were re-entering care within 12 months of discharge from a prior foster care episode. This exceeds the national standard of 8.6 percent.

Item 6. Stability of foster care placement

Item 6 was assigned an overall rating of Area Needing Improvement based on the finding that in FFY 1999, the percentage of children in foster care in North Dakota for less than twelve months with two or fewer placements was 86.2. This is less (although only slightly less) than the national standard of 86.7 percent. The Statewide Assessment and stakeholders commenting on this issue indicated that multiple placements often occur when a child needs higher levels of treatment services.

Item 7. Permanency goal for child

Item 7 was assigned an overall rating of Strength because (1) the item was rated as a Strength in 92 percent of the cases reviewed, and (2) the State met the national standard for the percentages of finalized adoptions occurring within 24 months of removal from home, although it did not quite meet the national standard for the percentages of reunifications occurring within 12 months of removal.

Item 8. Independent living services

Item 8 was assigned an overall rating of Strength based on the finding that 83 percent of the applicable cases appeared to adequately address the independent living needs of children in foster care who are age 16 and older.

Item 9. Adoption

Item 9 was assigned an overall rating of Strength because (1) a rating of Strength was assigned to 92 percent of the applicable cases and (2) in FFY 1999, 44.0 percent of finalized adoptions in North Dakota occurred within 24 months of the time the child was removed from the home. This exceeds the national standard of 32.0 percent.

Item 10. Permanency goal of other planned permanent living arrangement

Item 10 was assigned an overall rating of Strength because reviewers assigned this rating to 86 percent of the applicable cases. The Statewide Assessment indicated that although the percentage of children in foster care with a goal of long term foster care has decreased from 1997 to 1999, the percentage of children with a goal of independent living has increased.

Outcome P2: The continuity of family relationships and connections is preserved for children.

Status of Permanency Outcome P2 – Substantial Conformity

North Dakota achieved substantial conformity with permanency outcome 2 based on the finding that 92 percent of applicable case records were rated as having substantially achieved this outcome. This exceeds the 90 percent standard required for substantial conformity. A summary of findings for specific items assessed relevant to this outcome is presented below.

Item 11. Proximity of foster care placement

Item 11 was assigned an overall rating of Strength because reviewers determined that in all applicable cases, children were placed in close proximity to parents when possible and when the best interests of the child were met. This is consistent with the agency's policy that children be placed in close proximity to parents or relatives and in the least restrictive environment possible.

Item 12. Placement with siblings

Item 12 was assigned an overall rating of Strength because in 90 percent of the applicable cases children were placed with at least one of their siblings or, if separated from siblings, the separation was determined to be in the children's best interest.

Item 13. Visiting with parents and siblings in foster care

Item 13 was assigned an overall rating of Strength because in all applicable cases, the agency made diligent efforts to support visitation unless it was contrary to the child's best interest. However, according to the Statewide Assessment, the State agency has no formal policy dictating frequency of contact between children, siblings and parents. Timeframes for frequency of visitation vary across cases and are established during the permanency planning process.

Item 14. Preserving connections

Item 14 was assigned an overall rating of Strength because in 92 percent of the applicable cases, reviewers determined that the agency had made diligent efforts to preserve children's connections to their families, culture, and community.

Item 15. Relative placement

Item 15 was assigned an overall rating of Strength because in 91 percent of the cases, reviewers determined that the agency made diligent efforts to search for relatives and to place children with relatives when possible. The Statewide Assessment noted that the number of relatives who are caring for children in foster care increased from 109 in 1998 to 134 in 1999.

Item 16. Relationship of child in care with parents

Item 16 was assigned an overall rating of Strength based on the finding that in 87.5 percent of the case records, reviewers determined that diligent efforts had been made to support the relationship of the children in foster care with their parents.

III. WELL-BEING

Outcome WB1: Families have enhanced capacity to provide for their children's needs.

Status of Well-Being Outcome WB1 – Not in Substantial Conformity

North Dakota did not achieve substantial conformity with Well-Being Outcome 1 for the following reasons:

The outcome was rated in substantial conformity for 75.5 percent of the cases reviewed. This is less than the 90 percent required for a determination of substantial conformity. A summary of findings for specific items relevant to this outcome is presented below.

Item 17. Needs and services of child, parents, foster parents

Item 17 was assigned an overall rating of Area Needing Improvement based on the finding that in over one-fourth of the cases reviewed, reviewers determined that the agency had not adequately met the service needs of children, parents, and foster parents. One key problem was

that in cases in which children remained in their homes, the agency tended to focus on the service needs of the parents and pay insufficient attention to the children's potential service needs.

Item 18. Child and family involvement in case planning

Item 18 was assigned an overall rating of Strength because in over 80 percent of the cases, reviewers determined that parents and children had been appropriately involved in case plan development. According to the Statewide Assessment, however, the extent of participation of parents in developing the child's case plan differs throughout the State. Some areas of the State address issues with parents in a straightforward manner, identifying strengths and needs and concurrent planning with parental input. In other areas parental involvement is more perfunctory.

Item 19. Worker visits with child

Item 19 was assigned an overall rating of Area Needing Improvement because in 22 percent of the cases, reviewers determined that visits between the workers and the children did not meet State policy recommendations and/or were not sufficiently frequent to ensure children's safety and well-being.

Item 20. Worker visits with parents

Item 20 was assigned an overall rating of Strength because in 82 percent of the cases, reviewers determined that the frequency of worker visits with parents was appropriate. According to the Statewide Assessment, there is no specific agency policy regarding visits with parents for either in-home or foster care cases. Instead, the level of contact varies with each case and is determined by caseworkers and their supervisors.

Outcome WB2: Children receive appropriate services to meet their educational needs.

Status of Well-Being Outcome WB2 - Substantial Conformity

North Dakota achieved substantial conformity with Well-Being Outcome 2 based on the finding for item 21 presented below.

Item 21. Educational needs of the child.

Item 21 was assigned an overall rating of Strength because in 91 percent of the cases, reviewers determined that the agency had made diligent efforts to both assess and meet children's educational needs.

Outcome WB3: Children receive adequate services to meet their physical and mental health needs.

Status Of Well-Being Outcome 3 - Not in Substantial Conformity

North Dakota did not achieve substantial conformity with Well-Being Outcome 3 based on the finding that the outcome was rated as substantially achieved in 79.2 percent of the cases, which is less than the 90 percent required for a determination of substantial conformity. A summary of findings for specific items assessed as relevant to this outcome is presented below.

Item 22. Physical health of the child

Item 22 was assigned an overall rating of Strength based on the finding that in 91 percent of the cases, reviewers determined that the physical health needs of children were appropriately assessed and met. This finding is consistent with a State policy requirement that case plans for children in foster care must include the child's health records, a record of immunizations, information about the child's known medical problems, and a description of the child's medications. Health information must be reviewed and updated at the time of each placement of the child in foster care and supplied to the foster parents or foster care providers.

Item 23. Mental health of the child

Item 23 was assigned an overall rating of Area Needing Improvement because reviewers indicated that in 20 percent of the applicable cases, the child's mental health services needs were not adequately addressed. There was a lack of both mental health assessments as well as services.

KEY FINDINGS RELATING TO SYSTEMIC FACTORS**IV. STATEWIDE INFORMATION SYSTEM****Status of Statewide Information System – Substantial Conformity**

Item 24. The State is operating a Statewide information system that, at a minimum, can readily identify the status, demographic characteristics, location, and goals for the placement of every child who is (or within the immediately preceding 12 months, has been) in foster care.

This item was rated as a Strength for the State. North Dakota has a Comprehensive Child Welfare Information and Payment System (CCWIPS) that provides case management information, tracks children throughout foster care, and collects information on each child in foster care relevant to (1) demographics, (2) location and type of foster care placements, (3) changes in foster care placements, (4) case goals, and (5) time in care to achieve case goals. The system also generates the required AFCARS data for children in foster care and children who have been adopted and can provide data for the six indicators in the Child and Family Services Review by county.

V. CASE REVIEW SYSTEM**Status of Case Review System - Substantial Conformity**

Item 25. Provides a process that ensures that each child has a written case plan to be developed jointly with the child's parent(s) that includes the required provisions.

This item was rated as a Strength for the State. State agency policy requires that each child in foster care under the responsibility of the State has a written case plan that is developed jointly with the child and parent(s). Case record reviewers determined that parents and children were

involved in the development of the case plan in 81 percent of the applicable cases. In addition, stakeholders commenting on this issue expressed the opinion that workers have a clear expectation that families should be engaged in developing the case plans.

Item 26. Provides a process for the periodic review of the status of each child, no less frequently than once every 6 months, either by a court or by administrative review.

This item was rated as a Strength. According to the Statewide Assessment, State policy requires that all children in foster care in North Dakota must be reviewed by a Permanency Planning Committee on a quarterly basis. These permanency planning reviews, which are conducted at three-month intervals, are documented in CCWIPS as Permanency Planning Committee Progress Reports. The CCWIPS system provides numerous alerts to case managers and supervisors related to required elements and timeframes for the periodic reviews. Stakeholders commenting on this issue expressed the opinion that the quarterly reviews keep the focus of the agency on goal achievement.

Item 27. Provides a process that ensures that each child in foster care under the supervision of the State has a permanency hearing in a qualified court or administrative body no later than 12 months from the date the child entered foster care and no less frequently than every 12 months thereafter.

This item was rated as a Strength. According to the Statewide Assessment and information from stakeholder interviews, permanency hearings are conducted by the court at least every 12 months for all children in foster care, with some hearings occurring more frequently. A few stakeholders expressed the opinion that the number of permanency hearings has increased since implementation of ASFA. Other stakeholders reported that judges are beginning to accept the use of concurrent planning for children in foster care and will review both plans during the permanency hearing.

Item 28. Provides a process for termination of parental rights proceedings in accordance with the provisions of the Adoption and Safe Families Act.

This item was rated as an Area Needing Improvement for the State. Although at present the agency has a policy and a process for termination of parental rights (TPR) in accordance with the provisions of ASFA, stakeholders commenting on this issue reported that legal and court processes are often barriers to permanency for children, particularly processes related to filing cases, getting a hearing date, getting orders signed promptly, and getting decisions on TPR appeals. Another barrier noted by stakeholders is that some judges do not want to grant TPRs in cases in which parents have substance abuse problems, mental illness, or developmental disabilities or in which parents are incarcerated.

Item 29. Provides a process for foster parents, preadoptive parents, and relative caregivers of children in foster care to be notified of, and have an opportunity to be heard in, any review or hearing held with respect to the child.

This area was rated as a Strength. According to the Statewide Assessment, Notice and Opportunity to be Heard Forms are used by CFS to advise foster parents, preadoptive parents, and relative caregivers of children in foster care of permanency planning meetings, periodic reviews, and permanency hearings. The stakeholders noted that foster parents, preadoptive parents, and relative caregivers are invited to hearings, however very few attend. The notices

inviting these parties to the hearings may be discouraging attendance due to unclear messages regarding the opportunity to participate.

VI. QUALITY ASSURANCE SYSTEM

Status of Quality Assurance System - Substantial Conformity

Item 30. The State has developed and implemented standards to ensure that children in foster care are provided quality services that protect the safety and health of the children.

This item was rated as a Strength for the State. According to the Statewide Assessment, the State child welfare agency ensures that children in foster care are provided quality services that protect the safety and health of children. This is accomplished through (1) State licensing procedures and requirements for foster homes and group placements, (2) a State requirement that a risk assessment be completed every 90 days while families are receiving family preservation services, (3) regular supervisory reviews of CPS cases conducted at the county level, and (4) a State policy requiring adherence to caseload standards.

Item 31. The State is operating an identifiable quality assurance system that is in place in the jurisdictions where the services included in the CFSP are provided, evaluates the quality of services, identifies strengths and needs of the service delivery system, provides relevant reports, and evaluates program improvement measures implemented.

This item was rated as an Area Needing Improvement for the State. According to the Statewide Assessment, the child welfare agency does not have a formal child welfare quality assurance (QA) system in place to provide a comprehensive view of services to children and families. However, each program has its own QA processes and procedures. In addition, stakeholders at the local level expressed the opinion that local QA processes are in place, including child protection teams, reviews of cases by supervisors, individual client satisfaction surveys, Division of Juvenile Services annual audits (which includes interviews with families), and IV-E Reviews by State staff.

VII. TRAINING

Status of Training - Substantial Conformity

Item 32. The State is operating a staff development and training program that supports the goals and objectives in the CFSP, addresses services provided under titles IV-B and IV-E, and provides initial training for all staff who deliver these services.

This item was rated as a Strength. The State child welfare agency contracts with the University of North Dakota, Department of Social Work, to operate a Children and Family Services Training Center (CFS/TC). The State provides a Child Welfare Practitioner Certification Program (CWPCP), which is a competency based training curriculum. Staff from CFS work with the CFS/TC to evaluate the training and modify it when necessary, particularly when laws and policies change. Stakeholders commenting on this issue expressed the opinion that the CWPCP is a valuable training program and that 90 percent of all child welfare staff complete the training.

Item 33. The State provides for ongoing training for staff that addresses the skills and knowledge base needed to carry out their duties with regard to the services included in the CFSP.

This item was rated as a Strength. Although CFS does not have a formal plan for on-going training for child welfare staff, the State requires that individuals who provide child welfare services in North Dakota must be licensed social workers, and, as licensed social workers, they are required by law to complete 20 continuing education credits every two years to retain the license. Stakeholders commenting on this issue noted that there are many on-going training opportunities available for staff at the State, regional and county levels.

Item 34. The State provides training for current or prospective foster parents, adoptive parents, and staff of State licensed or approved facilities that care for children receiving foster care or adoption assistance under title IV-E that addresses the skills and knowledge base needed to carry out their duties with regard to foster and adopted children.

This item was rated as a Strength. The State child welfare agency funds a training center to provide foster and adoptive parent training statewide using the 27-hour national PRIDE foster/adopt parent pre-service training curriculum. In addition to the core training, a family development plan is prepared for each foster family and specific training is provided to meet the needs of individual foster children.

VIII. SERVICE ARRAY

Status of Service Array - Substantial Conformity

Item 35. The State has in place an array of services that assess the strengths and needs of children and families and determine other service needs, address the needs of families in addition to individual children in order to create a safe home environment, enable children to remain safely with their parents when reasonable, and help children in foster and adoptive placements achieve permanency.

This item was rated as a Strength. As noted in the Statewide Assessment, the agency provides a wide range of services through the eight Regional Human Service Centers and 53 county Social Services Boards. All stakeholders commenting on this issue praised the array of services available in the State and suggested that the services enable children to remain safely with their parents when reasonable and help children in foster and adoptive placements achieve permanency.

Item 36. The services in item 35 are accessible to families and children in all political jurisdictions covered in the State's CFSP.

This item was rated as an Area Needing Improvement. As noted in the Statewide Assessment, many of the services provided through the eight Regional Human Service Centers and 53 County Social Services Boards are not available statewide. In some areas, especially in rural settings, there are waiting lists for specific services. Health and mental health resources are limited in many areas although case management, respite care and intensive in-home services are available statewide. Stakeholders also expressed concern about access to services for children residing on Indian Reservations.

Item 37. The services in item 35 can be individualized to meet the unique needs of children and families served by the agency.

This item was rated as a Strength. Both the Statewide Assessment and the stakeholders interviewed indicated that most of the services provided by the State child welfare agency are child-centered, family-focused, community driven and strength focused, and therefore they can be individualized to meet the unique needs of many of the children and families served by the agency. However, stakeholders also noted that the influx of refugees into the State in recent years has had made it difficult for the child welfare agency to ensure individualized services to children and families of different cultures.

IX. AGENCY RESPONSIVENESS TO THE COMMUNITY

Status of Agency Responsiveness to the Community - Substantial Conformity

Item 38. In implementing the provisions of the CFSP, the State engages in ongoing consultation with tribal representatives, consumers, service providers, foster care providers, the juvenile court, and other public and private child- and family-serving agencies and includes the major concerns of these representatives in the goals and objectives of the CFSP.

This item was rated as a Strength. The Statewide Assessment notes that external community stakeholders are "integral to the work of the Department." There are many partners that are involved in the development of the Child and Family Services Plan, including the Advisory Committee, the CPS Task Force, the Alliance for Sexual Abuse Prevention and Treatment (which serves as the Children's Justice Act Task Force), the Child Fatality Review Panel, Head Start, Tribal Social Services Directors, Division of Juvenile Services, Division of Mental Health, Extension Services, the North Dakota Supreme Court, and parents/consumers.

Item 39. The agency develops, in consultation with these representatives, annual reports of progress and services delivered pursuant to the CFSP.

This item was rated as a Strength. Many of the agencies mentioned in the discussion of item 38 participated in the development of the Annual Progress and Services Report and the development of the Statewide Assessment. Some stakeholders commenting on this issue noted that greater efforts are necessary to ensure that CFS involves Tribal representatives in the discussions and decision making regarding services to children and families.

Item 40. The State's services under the CFSP are coordinated with services or benefits of other Federal or federally assisted programs serving the same population.

This item was rated as a Strength. As noted in the Statewide Assessment, the Department coordinated services provided under the CFSP with the agencies including Human Service Centers, the Children's Services Coordinating Committee, Family Focused Services Supervisors, Medicaid, Mental Health, Public Health, and TANF.

X. FOSTER AND ADOPTIVE PARENT LICENSING, RECRUITMENT, AND RETENTION

Status of Foster and Adoptive Parent Licensing, Recruitment, and Retention - Substantial Conformity

Item 41. The State has implemented standards for foster family homes and child care institutions, which are reasonably in accord with recommended national standards.

This item was rated as a Strength. According to the Statewide Assessment, foster care licensing for family homes is governed by State law (NDCC 50-11) and by Administrative Rules (ND Admin Code 75-03-14). Annual licensing studies are completed by a county social worker or staff of a Licensed Child Placing Agency and submitted to the regional supervisor who issue/denies the license. Licensing for group and residential child care facilities is governed by State law (NDCC 50-11) and Administrative Rules (ND Admin Code 70-03-16). A team composed of a regional supervisor, a representative from the State office who has licensing and supervision experience, a clinician and an addiction counselor, conducts group homes and RCCF licensing reviews. The licensing studies are forwarded to the foster care administrator who reviews all group/RCCF licenses and request any missing documentation, clarifies any questions with the appropriate facility and takes action on the license.

Item 42. The standards are applied to all licensed or approved foster family homes or childcare institutions receiving title IV-E or IV-B funds.

This item was rated as a Strength. All foster homes, relatives and non-relatives must meet the same State standards if they are to receive State or Federal funds. Regional supervisors have responsibility for reviewing foster home studies for compliance with State law. The exception to this is foster homes on Tribal Reservations, where a Tribal authority certifies compliance via an affidavit.

Item 43. The State complies with Federal requirements for criminal background clearances as related to licensing or approving foster care and adoptive placements and has in place a case planning process that includes provisions for addressing the safety of foster care and adoptive placements for children.

This item was rated as a Strength. The Department conducts State, local and Federal background checks in accordance with State law and policy. These background checks are in compliance with Federal requirements.

Item 44. The State has in place a process for ensuring the diligent recruitment of potential foster and adoptive families that reflect the ethnic and racial diversity of children in the State for whom foster and adoptive homes are needed.

This item was rated as an Area Needing Improvement. The Department of Human Services has committed extra resources (\$150,000) to enhance foster home recruitment and retention with an emphasis on recruitment of adoptive homes for children with special needs and Native American children. Stakeholders indicated the that the Native American Training Institute has the capacity to identify Native American families to serve as foster families, but the State has not requested this assistance. The State has had a contract with the Native American Training Institute since

July 1, 2001, however some of the stakeholders were not aware of it. The contract is to assist Burleigh County with the recruitment of Native American families. This conflicting information highlights a gap in understanding between the State and other relevant parties regarding the diligent recruitment of potential foster and adoptive families that reflect the ethnic and racial diversity of children in the State.

Item 45. The State has in place a process for the effective use of cross-jurisdictional resources to facilitate timely adoptive or permanent placements for waiting children.

This item was rated as a Strength. The Department has designed and implemented a child specific recruitment plan document. Policy has been issued to clarify recruitment procedures and ICPC procedures pertaining to child specific recruitment and follow-up activities.